






Welcome

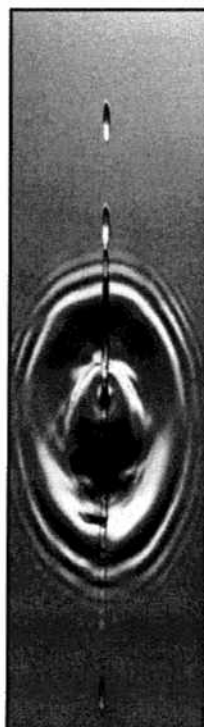

- Council of Great Lakes Governors
 - Founded in 1983.
 - Mission: To encourage and facilitate environmentally responsible economic growth.
 - Members: Governors of the eight Great Lakes States – Illinois, Indiana, Michigan, Minnesota, New York, Ohio, Pennsylvania, and Wisconsin.
 - Associate Members: Premiers of Ontario and Québec.





Welcome


- Agenda
 - Introduction and Context
 - Interstate Compacts
 - Great Lakes Agreement and Compact
 - Issues, Questions and Resources
- Learning Objectives
 - Understand the general functions and use of compacts.
 - Learn about the history of the Great Lakes States' and Provinces' efforts to protect and manage Great Lakes water.
 - Become familiarized with the objectives of the recent agreements and the implementation process.



Introduction

- Generate: Answers

1. The Great Lakes represent what percentage of the world's freshwater supply?
18%
2. How many people reside within the Great Lakes basin?
35,000,000 (25 million in the US, 10 million in Canada)
3. How deep is Lake Superior?
a. 483 feet b. 653 feet c. 1,248 feet **d. 1,332 feet** e. 1,684 feet
4. How many miles of coastline are there on the Great Lakes?
a. 5,208 **b. 10,210** c. 8,690 d. 16,784 e. 21,347
5. How many years is water retained in Lake Michigan? Lake Erie?
a. 1.5 **b. 2.6** c. 5.8 d. 13.4 e. 21 f. 35 g. 50 **h. 99**



Introduction

■ Generate: Answers

6. The Great Lakes States represent what percentage of US Manufacturing output?

60%

7. The Great Lakes States represent what percentage of US Agricultural sales?

30%

8. What is the largest economic sector in the Great Lakes States?

Manufacturing

9. How many electoral votes do the Great Lakes States have?
How does this compare to 1950?

141 (out of 538, 26%), 169 in 1950

10. What was the last war fought in the Great Lakes?

The War of 1812



Great Lakes Context

Geography



Great Lakes Context

Hydrology

| Lake | Superior | Michigan | Huron | Erie | Ontario |
|---------------|------------------------|----------|--------|--------|---------|
| Elevation | 600 ft | 577 | 577 | 569 | 243 |
| Length | 350 mi | 307 | 206 | 241 | 193 |
| Breadth | 160 mi | 118 | 183 | 57 | 53 |
| Ave. Depth | 483 ft | 279 | 195 | 62 | 283 |
| Max. Depth | 1,332 ft | 925 | 750 | 210 | 802 |
| Volume | 2,900 mi ³ | 1,180 | 850 | 116 | 393 |
| Surface Area | 31,700 mi ² | 22,300 | 23,000 | 9,910 | 7,340 |
| Drainage Area | 49,300 mi ² | 45,600 | 51,700 | 30,140 | 24,720 |
| Shoreline | 2,726 mi | 1,638 | 3,827 | 871 | 712 |
| Retention | 191 yrs | 99 | 22 | 2.6 | 6 |

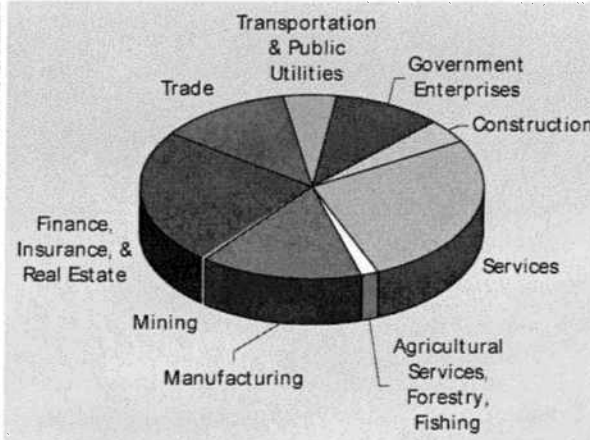
1 mi³ = 1.1 trillion gallons, GL Total = 5439 mi³ = 5.9 quadrillion gallons.

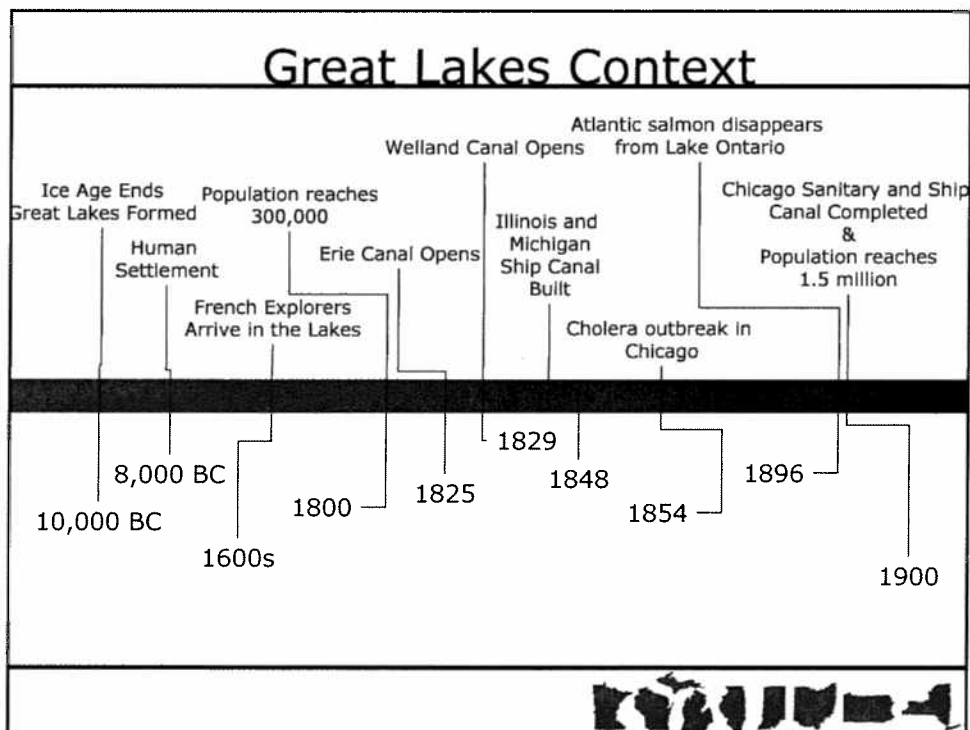
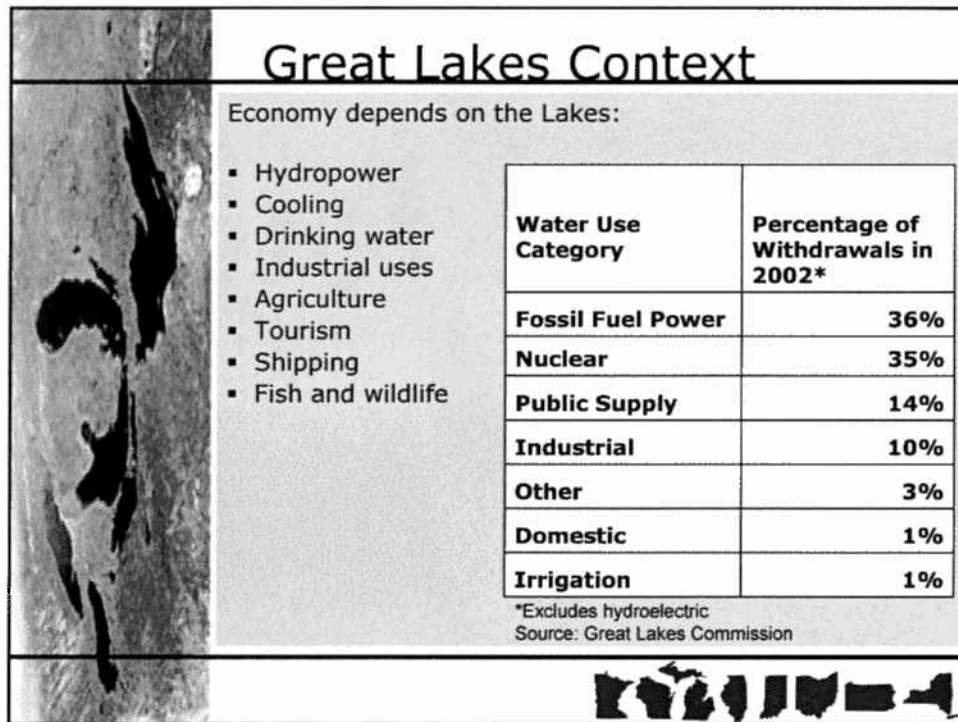


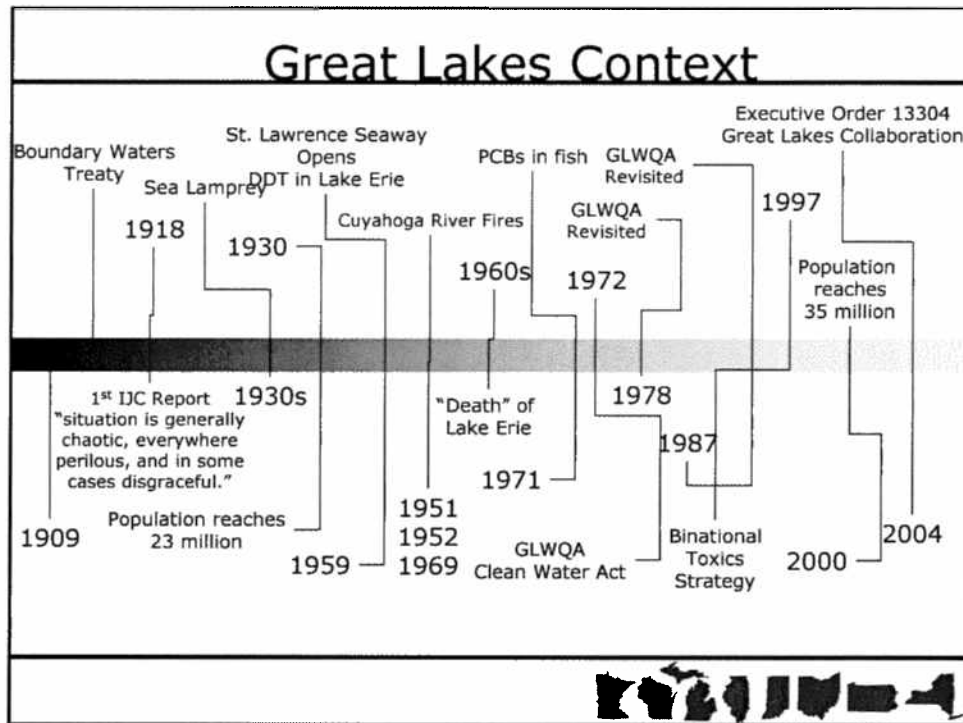
Great Lakes Context

Economy

- The Great Lakes states generated \$3.3 trillion in 2004, 29% of the U.S. GDP.
- The Great Lakes economy is diversified with manufacturing as the top single sector.
- The GDP of the region is the third-largest in the world, led only by the U.S. itself and Japan.







Great Lakes Context

- What are the differences between Treaties, Compacts, and Agreements?
- What are the accords that are focused on the Great Lakes?

Treaty

- A treaty is a binding agreement between sovereign states. Requires 2/3 approval in the U.S. Senate.

Compact

- A compact is an agreement between States. Requires approval in all State legislatures.

Agreement

- A less formal understanding.

Treaties • Compacts • Agreements



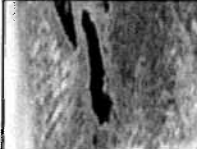
Great Lakes Context

- Boundary Waters Treaty of 1909
- Great Water Quality Agreement
- Great Lakes Binational Toxics Strategy
- Great Lakes Fishery Convention
- Air Quality Agreement
- Great Lakes Basin Compact
- Great Lakes Charter and Annex
- Water Resources Development Act of 1986


Treaties • Compacts • Agreements




| Great Lakes Context | | | | | | | | | | | |
|----------------------------|---------------|---------------------|--------|-----------------------|---------|------------------|----------------|------------|-----------------|-------------------------|---------|
| | Water Quality | Criteria Pollutants | Toxics | Phosphorus/ Nutrients | Fishery | Invasive Species | Ecosystem Mgmt | Diversions | Infra-structure | Monitor/ Info/ Research | Habitat |
| Boundary Waters Treaty | X | | | | | | | X | | | |
| GLWQA | X | | X | X | | | X | | | X | |
| Binational Toxics Strategy | | | X | | | | | | | X | |
| GL Fishery Convention | | | | | X | X | X | | | X | X |
| Air Quality Agreement | X | X | | | | | | | | X | |
| GL Charter | | | | | | | | X | | X | |
| GL Compact | | | | | X | | | X | X | X | |



Treaties • Compacts • Agreements







Great Lakes Context

Boundary Waters Treaty of 1909



- Mechanism for preventing and resolving water disputes between U.S. and Canadian federal governments.
- Created the International Joint Commission (IJC) to oversee the treaty and ensure levels and flows are not affected.
- Limitations
 - Geographic scope: only applies to boundary waters.
 - Limited to managing uses affecting levels and flows.





Great Lakes Context

Great Lakes Charter of 1985

- Good-faith agreement among the Great Lakes Governors and Premiers.
- Created notice and consultation process for large new or increased diversions, in-Basin uses.
- Commitment by States, Provinces to pass legislation to manage and regulate diversions, in-basin uses.
- Limitations
 - Good-faith nature
 - Uneven implementation








Great Lakes Context

Water Resources Development Act of 1986


- U.S. federal statute.
- Subjected diversions to approval by the Governors (veto authority).
- Limitations
 - Scope: does not include in-Basin uses.
 - Lack of definitions, decision-making standard and process.
 - Questionable applicability to groundwater.
 - Premiers not included in decision making.



Interstate Compacts • Overview

- Legal Basis
- Key Elements and Features
- History and Examples

Section Agenda



Interstate Compacts • Overview

- Constitutionally Sanctioned Tool
- Principle Advantage: effective and enforceable means of interstate cooperation; States retain authority



Interstate Compacts • Overview

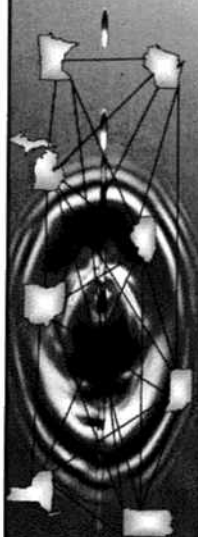
- Contracts between two or more States
- Force and effect of statutory law
- Precedence over conflicting State laws
- Enforceable against their members



Legal Basis



Interstate Compacts • History



- Use predates the Constitution
- More than 200 interstate compacts currently.
 - On average, a State belongs to about 25 compacts.
 - Michigan is a party to over 20 compacts.
- Many are regional or national in scope.
- Types:
 - Fixed
 - Advisory
 - Regulatory

Scope and Types



Interstate Compacts • Characteristics



- Formal, legal relationship among States to address common problems.
- States retain sovereignty– “collective sovereignty”
- Interstate uniformity without loss of control.

Key Elements and Features



Interstate Compacts • Characteristics

- Examples

- Great Lakes Basin Compact
- Delaware and Susquehanna River Basin Compacts
- Others:
 - Health,
 - Transportation,
 - Criminal Justice,
 - Education,
 - Natural Resources,
 - Taxation, etc.

Examples



Interstate Compacts • Process

- Contractual Requirements
- Identical Language
- Congressional Consent (Transformative Effect)





Great Lakes Agreements

- Impetus for New Protections
- Agreements' Development Process
- Key Elements of Agreement and Compact

Section Agenda




Great Lakes Agreements

What is at Stake?

- Maintaining regional control of Great Lakes water resources.
- Ensuring water is available for future use and economic growth.







Great Lakes Agreements

Impetus for New Protections

- 1998 – Nova Group proposal
- 1999 – Recurring lower Lake levels
- 2000 – WRDA amendments, IJC report
- 2001 – Great Lakes Charter Annex



Great Lakes Agreements

Agreements' Development Process

- State and Provincial Leadership
- Ten jurisdiction Working Group
- Advisory Group/Resource Group/Observers
 - Regional Stakeholders
 - Federal Governments
 - Ongoing Consultation
 - Key Role in Development
- Tribes and First Nations
- Public Involvement





Great Lakes Agreements

Agreements' Development Process

- Major Public Review
 - Public Notice – Two Rounds
 - Public Meetings in Each Jurisdiction
 - Website for Comments
 - Over 13,000 E-mailed and Written Comments Received
 - Several Regional Forums




Great Lakes Agreements

The effort to protect the Great Lakes Basin water resources has been ongoing since 1985.

Below are the Governors that signed the Charter in 1985, the Annex in 2001, and the Agreement in 2005.

| State | 1985 | 2001 | 2005 |
|--------------|----------------|-----------------|-----------------|
| Illinois | Thompson (R) | Ryan (R) | Blagojevich (D) |
| Indiana | Orr (R) | O'Bannon (D) | Daniels (R) |
| Michigan | Blanchard (D) | Engler (R) | Granholm (D) |
| Minnesota | Perpich (D) | Ventura (other) | Pawlenty (R) |
| New York | Cuomo (D) | Pataki (R) | Pataki (R) |
| Ohio | Celeste (D) | Taft (R) | Taft (R) |
| Pennsylvania | Thornburgh (R) | Ridge (R) | Rendell (D) |
| Wisconsin | Earl (D) | McCallum (R) | Doyle (D) |






Great Lakes Agreements

Key Elements of Agreement and Compact

- Great Lakes-St. Lawrence River Basin Sustainable Water Resources Agreement
 - A good-faith agreement among the Great Lakes States, Ontario, and Québec.
- Great Lakes—St. Lawrence River Basin Water Resources Compact
 - A legally enforceable contract among the Great Lakes States that will be passed into law through the State legislatures and consented by Congress.



Great Lakes Agreements

Key Elements of Agreement and Compact

Diversions

- All new or increased diversions prohibited.
 - Exceptions:
 - Straddling communities
 - Communities in straddling counties
 - Intra-Basin transfers
 - Exemptions:
 - Ballast water
 - Short-term fire fighting
 - Humanitarian needs

Details: Diversions





Great Lakes Agreements

Key Elements of Agreement and Compact

In-Basin Uses

- State, Provincial management and regulation.
- Use of common decision making standard.
- State/Provincial flexibility for determining thresholds.
- State/Provincial opportunity to comment on all large new or increased consumptive uses.

Details: In-Basin Uses



Agreement

Key Elements of Agreement and Compact

Conservation and Efficiency

- Regional goals and objectives
 - Development within 2 years.
- State, Provincial goals, objectives, programs
 - Consistent with regional goals and objectives.
 - Regional review every 5 years.
- Proposals
 - Conservation, efficiency measures.
 - Conservation, efficient use of existing water supplies.

Details: Conservation and Efficiency






Great Lakes Agreements

Great Lakes-St. Lawrence River Basin Water Resources Regional Body

- Created when Agreement was signed by Governors and Premiers
- Includes Governors, Premiers or designees
- Oversees Agreement Implementation
 - Develops regional conservation and efficiency goals and objectives
 - Develops science strategy
 - Serves as a forum for consultation and coordination




Signed Agreement




Next Steps • Issues • Resources

- Goals
- Logistics and Next Steps
- Resource Kit Elements
- Other Assistance Available
- Discussion

Section Agenda






Next Steps • Issues • Resources

Goals

- Retain authority over water management system in the region.
- Work together to ensure the Great Lakes resource is available for future use.
- State commitments to management programs, conservation and efficiency.
- Collect better information to improve scientific understanding.

Goals





Next Steps • Issues • Resources

Next Steps: States

- Laws and regulations enacted
- State legislatures ratify interstate Compact
- Congressional consent obtained
- Individual State Implementation Policies Developed













Next Steps • Issues • Resources

Next Steps: Provinces

- Laws and regulations enacted
- Provinces amend statutes, regulations as needed
- No federal legislation required

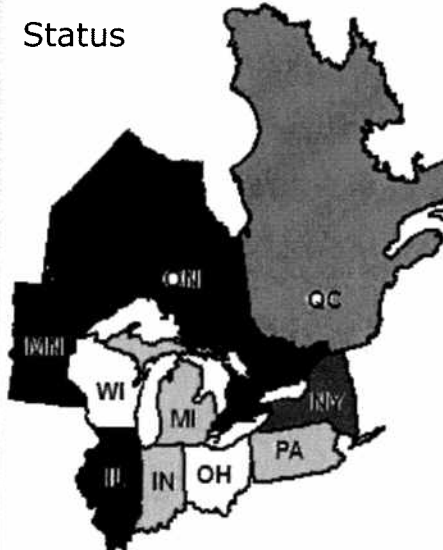









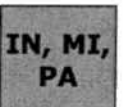






Next Steps • Issues • Resources

Status



| | |
|--|-------------------------------|
|  | Enacted Into Law |
|  | Approved By National Assembly |
|  | Passed Two Chambers |
|  | Active Bill |







Next Steps • Issues • Resources

State Implementation


Minnesota: Enacted into law
Governor Pawlenty signed on February 20, 2007






Illinois: Enacted into law
Governor Blagojevich signed on August 17, 2007



New York: Bills passed in both chambers
A7266--passed on February 1, 2007
S4324--passed on July 16, 2007




Indiana: Active bills
SB 0022—introduced on January 17, 2007
SB 0515—introduced on January 23, 2007


Next Steps • Issues • Resources

State Implementation


Michigan: Active bills
SB 212—introduced on February 20, 2007
HB 4336—introduced on February 28, 2007
HB 4343—introduced on February 28, 2007





Pennsylvania: Active bill
HB 1705—introduced on July 6, 2007




Wisconsin: Special Committee formed
Legislation anticipated this fall




Ohio:
Discussions ongoing regarding next steps




Next Steps • Issues • Resources



Provincial Implementation



Ontario: Enacted into law
Bill 198--enacted on June 4, 2007



Québec: Approved by National Assembly
Approval on November 30, 2006
Further steps initiated to fully implement into law






Next Steps • Issues • Resources

Resource Kit Elements

- Project Background, Organization and Development Process.
- Agreement and Compact.
- Frequently Asked Questions.
- Agreement and Compact Development Roster.
- Expressions of support.
- Background on Interstate Compacts.
- Existing laws, agreements, and other information.
- Guide to resources.
- Key contacts.
- www.cglg.org/projects/water/CompactImplementation.asp

Resource Kit







Next Steps • Issues • Resources


Assistance Available

- Council of Great Lakes Governors
 - David Naftzger, Executive Director
 - Peter Johnson, Program Director
 - 312.407.0177
- Council of State Governments
 - Mike McCabe, Midwest Director
 - 630.925.1922
- State Participants


Assistance

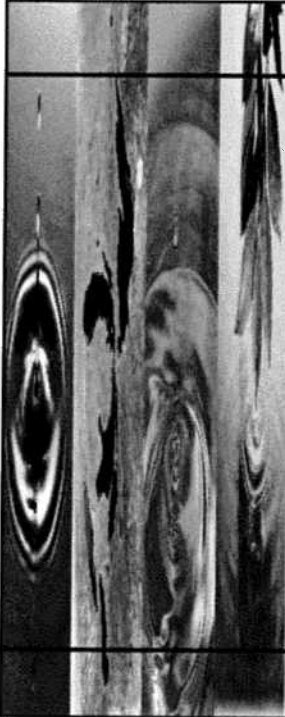


Next Steps • Issues • Resources



Questions

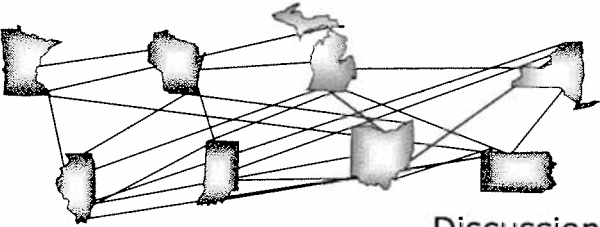





Next Steps ▪ Issues ▪ Resources

General Discussion


- Discussion
- Feedback
- Evaluation



Discussion



Thank You



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